

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 19, 2011

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB2124 by Workman (Relating to victim notification regarding the release of a defendant who was acquitted by reason of insanity in a criminal case.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Section 4 (d) (8), Article 46.03 of the Code of Criminal Procedure by transferring it to Subchapter A, Chapter 46C, designating it as Article 46C.003, and further amending the provision. The proposed amendments relate to notification of the victim, victim's guardian or close relative of the victim regarding the release of a defendant who was acquitted by reason of insanity in a criminal case.

The proposed amendment would make victim notification the responsibility of the court issuing the order requiring the release of the acquitted person. According to the Department of State Health Services, an estimated 83 persons each fiscal year are released from the care of state mental health hospitals who originally had been acquitted by reason of insanity.

To the extent the bill would amend provisions relating to notification of victims, no significant increase in judicial workloads statewide or fiscal implication to the state is anticipated. The bill would take immediate effect if the bill receives two-thirds the vote of all members in both houses. Otherwise, the bill would take effect September 1, 2011.

Local Government Impact

Courts statewide may incur minimal costs to notify victims in such cases; however, such costs are not anticipated to be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 696 Department of Criminal Justice

LBB Staff: JOB, TB, ESi